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SUBJECT: DRC ELECTIONS: THE DAY AFTER

REF: KINSHASA 1212 (NOTAL)

11. (U) Summary: Despite some expected technical and logistical difficulties, coupled with isolated incidents of violence and intimidation in the Kasai provinces, the DRC's July 30 presidential and legislative elections were held in a largely calm and orderly fashion. Voter turnout nationwide appears to be high nationwide -- particularly in the eastern part of the country -- and certainly greater than the country's December constitutional referendum. Police and security forces appeared well-trained and maintained order where necessary. As voting winds down in areas where polls were kept open because of logistical problems on election day, the count is underway, though official results will not be known for another three weeks. End summary.

12. (SBU) Voters in the Democratic Republic of Congo headed to the polls July 30 for the country's first free multi-party election in more than 40 years. The DRC's 25.7 million registered voters chose among 33 candidates for president, and 9,709 candidates for 500 seats in the National Assembly. U.S. Mission observers, as well as those from many Congolese and international observation missions nationwide, report operations were generally smooth and orderly, with voters coming out to cast ballots in large numbers. Independent Electoral Commission (CEI) officials said turnout appeared to be very high in the eastern provinces. In Kinshasa, where voter participation was around 40 percent for the December constitutional referendum, the CEI and other observers report turnout to be noticeably higher. Turnout appears to have been lowest in Eastern and Western Kasai provinces -- the strongholds of the opposition Union for Democracy and Social Progress (UDPS), which boycotted elections -- due in part to voter intimidation.

13. (SBU) MONUC and CEI officials said voting operations will continue July 31 in the cities of Mbuji Mayi and Mwene Ditu (Eastern Kasai) and Mweka (Western Kasai) to allow voters who did not have to opportunity to cast ballots yesterday to do so today. These affected sites will be open for the regulation eleven hours for voting and then ballots will be counted. As reported reftels, four polling stations in Mwene Ditu were set on fire early in the morning of July 30, while 134 voting kits in Mbuji Mayi were destroyed in a fire July 29, preventing some polling sites from opening. In Mweka (approximately 40 miles northwest of Kananga), MONUC reports 58 polling stations were destroyed by protesters who claimed a National Assembly candidate and his wife were attempting to buy votes with cash and had filled out fraudulent ballots. MONUC officials said there was no proof of these allegations, and that the security situation had improved enough by the afternoon of July 30 to re-open some voting sites late in the day. In Mbuji Mayi, some UDPS militants tried to intimidate

voters by calling for a "ville morte," burning tires in the streets, and engaging in isolated acts of aggression against the population.

¶4. (U) The voting sites affected by the events in the Kasais, however, represent significantly less than one percent of the nearly 50,000 polling stations that opened nationwide. Reports from various international observer missions indicate no other major security incidents took place, and police were generally present to maintain order. Many observers commended the professionalism of police officers assigned to provide security at polling sites, noting that police took an active role in keeping voting lines orderly and operations running smoothly. In Kinshasa, police presence was noticeable throughout the city, but did not appear to pose any threat of voter intimidation.

¶5. (SBU) In many polling stations, vote counting is still continuing July 31. Reports from observers in Kinshasa, Ituri District, plus Bas-Congo and North Kivu provinces, indicate many poll workers finished counting presidential ballots late on the night of July 30, slept in the polling stations overnight, then began counting legislative ballots the next morning. While observers reported that voting operations unfolded rather smoothly, several concerns were reported. In Kinshasa, there were unconfirmed cases of voters using fraudulent ID cards or selling their cards to others. Many polling sites in urban areas -- particularly Kinshasa -- did not have enough ballot boxes to hold the six-page legislative ballots, resulting in some poll workers having to stack ballots cast in a pile on top of the boxes themselves. Difficulties were encountered as well in the counting process, as the size and number of ballots made counting

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time-consuming, especially as poll workers tried to ensure the transparency of the process in front of observers and political party witnesses. Observers also reported many poll workers -- in addition to witnesses and Congolese observers -- fell asleep during the vote counting as operations dragged on well past midnight.

¶6. (SBU) Another difficulty expressed to observers was the non-payment of salaries to CEI workers and police officers. Many polling agents complained they had not received the money promised by the CEI, although in some cases polling center officials said the money would be arriving later in the day. In some instances, poll workers even refused to continue counting balloting unless they were first fed. Many police officers questioned by Mission observers also said they had not yet been paid. With the exception of those CEI agents who suspended their work in order to eat, most all other polling station personnel --including the police -- completed their responsibilities July 30 out of a sense of civic duty and did not create any security or operational problems.

¶7. (SBU) Despite these anomalies, most Congolese appear to be initially satisfied with the electoral process. Kinshasa's newspapers -- even much of the opposition press -- are declaring the elections to have been a success even while noting some of the problems encountered. The electoral process, however, is now entering perhaps its most difficult phase as the counting continues and results start to become known. The irregularities outlined above, along with many others, will undoubtedly lead to a significant number of electoral challenges in the weeks to come. Electoral losers could well use any of these issues to contest results and cast doubt on the legitimacy of elections, particularly if the ballot compilation process continues for a long period of time.

¶8. (U) To that end, CEI President Abbe Apollinaire Malu Malu released the evening of July 30 the calendar for the next round of elections, including dates for provisional and final results for the presidential and legislative contests.

According to the new calendar, provisional results for the presidential race should be announced no earlier than August 20, while final results are expected no earlier (following a ruling on electoral challenges by the Supreme Court) than August 31. For National Assembly elections, provisional results will be announced on a rolling basis as they are tabulated, ending by September 4. Following a two-month period (stipulated by the DRC's electoral law) of examining election challenges, the Supreme Court is expected to make its rulings known by November 9.

¶9. (U) The CEI has set October 29 as the date for the second round of elections, which will include voting for provincial assemblies as well as a second-round of presidential balloting, if necessary. (Note: If no candidate receives an absolute majority in the first round, a runoff will be held between the top two candidates. End note.) Should another round of presidential voting be required, final results are expected to be announced as early as November 30. According to the CEI's calendar, if one candidate wins in the July 30 vote, he will enter into office by September 10; a victor in the second round of voting would be inaugurated and assume the office by December 10. (Note: These dates are determined by the electoral law, which states that the newly-elected president must take office within the 10 days following the announcement of final voting results. End note.)

¶10. (SBU) Comment: Voting in the DRC, which has been a logistical nightmare in many cases, came off much better than most observers expected. The apparently high turnout is encouraging, especially in light of the constant complaints and distractions of the political naysayers. Certainly the vote was not perfect, nor was it expected to be under the conditions Congolese poll workers faced: no electricity, extreme working conditions, the lack of voter education, and no previous free elections in the country for more than four decades. CEI officials showed initiative when attempting to overcome some of the vote's logistical challenges, such as the lack of ballot boxes or sufficient lighting in polling stations. Such "innovations," however, may prove to be useful fodder for potential election spoilers who may look for any pretext to cast doubt on the fairness of the vote. The coming weeks will be a crucial period. As results become known, losers will have to accept results, and winners will have to reach out to their former opponents. The CEI as well will

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face the difficult task of managing expectations and keeping the public regularly informed about each step of the electoral process between now and the announcement of final results. Overall, however, despite dire predictions by some even within the DRC, the country's elections can at this point be considered a success. Endcomment.
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